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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2011

**Gazettes will not be published on Friday, 22 April or
Tuesday, 26 April 2011.**

A Gazette will be published on Thursday, 21 April at 3.30 pm.
Copy closes at noon on Tuesday, 19 April.

The next Gazette published will be on Friday, 29 April at 3.30 pm.
Copy closes at noon on Wednesday, 27 April.



— PART 1 —

FISHERIES

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 4) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 4) 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Fish Resources Management Regulations 1995*.

4. Regulation 14 amended

In regulation 14(1) in the definition of *special risk finfish* in the Table delete the item relating to pink snapper.

5. Schedule 2 amended

In Schedule 2 Part 2 Division 3 Subdivision 2 delete the first Table and insert:

Class of fish	If of a length less than the length specified in respect of each class of fish (mm)
Amberjack	600
Barramundi	550
Bream, Black	250
Bream, Fingermark	300
Bream, Northwest Black	250
Bream, Yellowfin	300

Class of fish	If of a length less than the length specified in respect of each class of fish (mm)
Cobbler (Estuary Catfish) when taken or brought onto land other than from waters, and before the date, referred to in Subdivision 1 item 3 —	
(a) when taken by the holder of a commercial fishing licence (partial length)	320
(b) in any other case (total length)	430
Cobia	750
Cod, Breaksea	300
Cod, Estuary	400
Coral Trout	450
Dhufish, West Australian	500
Dolphinfish (Mahi Mahi)	500
Emperor, Blue-lined	320
Emperor, Red (Government Bream)	410
Emperor, Spangled	410
Flathead, Bar-tailed	300
Flathead, Blue-spotted	300
Flathead, Long-spined	300
Flathead, Marbled	300
Flounder	250
Groper, Baldchin	400
Groper, Blue	500
Javelinfish and Sweetlips	300
Kingfish (Yellowtail)	600
Leatherjacket	250
Mackerel, Australian Spotted	500
Mackerel, Broad-barred Spanish	750
Mackerel, Narrow-barred Spanish	900
Mackerel, Queensland School	500
Mackerel, Shark	500
Mackerel, Wahoo	900
Mangrove Jack	300
Mulloway, Northern	700
Mulloway (River Kingfish)	500
Pike, Long-finned	300
Salmon, Australian	300
Samson Fish (Sea Kingfish)	600
Sea Perch, Stripey	300
Snapper, Northwest	280
Snapper, Pink —	
(a) when taken or brought onto land from the waters of the West Coast Region that are south of 31° 00' south latitude	500
(b) when taken or brought onto land from the waters of Shark Bay, other than in an area and during a period referred to in Subdivision 1 item 1(a) or in the waters of the Freycinet Estuary	500
(c) in any other case	410
Snapper, Queen (Blue Morwong)	410
Snapper, Red (Redfish)	300
Snook	300
Swallowtail	300
Tailor	300

Class of fish	If of a length less than the length specified in respect of each class of fish (mm)
Tarwhine (Silver Bream)	250
Threadfin, Giant	450
Trevally, Silver (Skipjack)	250
Tripletail	300
Tuskfish, Blackspot	400
Tuskfish, Blue	400
Whiting, King George (Spotted)	280

6. Schedule 7 amended

In Schedule 7 Division 1 in the item relating to Snapper,
Northwest after “*L. nebulosus*” insert:

and *L. laticaudis*

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

DIVIDING FENCES ACT 1961 LOCAL GOVERNMENT ACT 1995

City of Melville

FENCES AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Melville resolved on 15 February 2011 to make the following local law.

1. Citation

This local law may be cited as the *City of Melville Fences Amendment Local Law 2011*.

2. Commencement

This local law will come into operation 14 days after the day it is published in the *Government Gazette*.

3. Principal Local Law

In this local law the *City of Melville By-laws Relating to Fences* published in the *Government Gazette* on 15 February 1985 and as amended and published in the *Government Gazette* on 31 December 1996 is referred to as the principal local law. The principal local law is amended.

4. Clause 1 Definitions are amended

(1) Insert a definition for **City**—

City means the City of Melville;

(2) Insert after the definition of **Dangerous** a definition for **Delegated officer**—

“Delegated officer” means an officer delegated by the City who is qualified to perform the duties under this local law;”

(2) Delete the definition of Dividing Fence and insert instead—

Dividing Fence is any wall, fence or similar such structure, irrespective of material content, located on or near a common boundary of adjoining land or on a line other than the common boundary, and includes a front fence to a property, but does not include any retaining wall structure.

(3) Amend the definition of "Land" by deleting "1918" and inserting instead—
1984.

(4) Delete the definition of *Town Planning Scheme* and insert instead—

Town Planning Scheme means City of Melville Community Planning Scheme No. 5 published in the *Government Gazette* and amended from time to time or other Town Planning Schemes or Local Laws for the time being in force whereby the district of the Municipality of the City of Melville or any part thereof is classified or zoned.

5. Clause 4 is amended

Delete clause 4 and insert instead—

4. No person shall erect a fence otherwise than in accordance with the specifications and provisions contained in Schedule 1 unless the prior approval in writing of Council or a delegated officer in the form of a Building Licence is obtained where it is required to be obtained.

6. Clause 5 is amended

After "approval of the Council" insert—

or a delegated officer.

7. Clause 6 is amended

After "approval of the Council" insert—

or a delegated officer.

8. Clause 8 is amended

After "approval of the Council" insert—

or a delegated officer.

9. Clause 9 is amended

In subclause (b) delete the reference to sub-By-law (a) and insert instead—

subclause (a).

10. Clause 10 is amended

After the words "opinion of the Council" insert—

or a delegated officer.

11. Clause 11 is amended

After "The Council" insert—

or a delegated officer.

12. Clause 12 is amended

In clause 12 delete "By-law 11" and insert—

clause 11.

13. Clause 13 is amended

In clause 13 delete "By-law 12" and insert—

clause 12.

14. Clause 14 is amended

(1) In subclause (a) delete the reference to "five hundred dollars" and insert instead—

five thousand dollars.

(2) In subclause (b) delete the words "fifty dollars" and insert instead—

five hundred dollars.

15. Clause 15 is amended

Delete "Australian Standard 3016-1994" and insert—

current Australian Standard.

16. First Schedule Amended

(a) Delete paragraph (a) and insert instead—

(a) A fence shall not exceed 1800mm in height unless the prior approval in writing of Council or a delegated officer has been obtained.

(b) Delete paragraph (d) and insert—

(d) A sufficient fence for an area zoned "Residential" under the Town Planning Scheme of the district for the time being shall be defined as a 1800mm only high closed fence of wooden pickets, corrugated fibre cement sheeting, colourbond metal framed, or similar material.

17. Second Schedule deleted

The Second Schedule is deleted in its entirety.

Dated 25th February 2011.

The Common Seal of the City of Melville was hereunto affixed by authority of a resolution of the Council in the presence of—

RUSSELL AUBREY, Mayor.
Dr SHAYNE SILCOX, Chief Executive Officer

TRAINING

TA301*

Building and Construction Industry Training Fund and Levy Collection
Act 1990

Building and Construction Industry Training Fund and Levy Collection Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Building and Construction Industry Training Fund and Levy Collection Amendment Regulations 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Building and Construction Industry Training Fund and Levy Collection Regulations 1991*.

4. Regulation 3 amended

- (1) In regulation 3(1):
 - (a) in paragraph (d) delete “work; or” and insert:

work.
 - (b) delete paragraph (e);

(c) after paragraphs (a), (b) and (c) insert:

or

(2) In regulation 3(2) delete the definitions of:

government authority

minerals

mining and petroleum work

petroleum

(3) In regulation 3(2) insert in alphabetical order:

government authority means —

- (a) the Crown;
- (b) an agency or instrumentality of the Crown;
- (c) a local government or regional local government within the meaning of the *Local Government Act 1995* or a Commissioner appointed under that Act;

(4) In regulation 3(2) in the definition of *government work* paragraph (b)(ii) delete “authority;” and insert:

authority.

5. **Regulation 3AA inserted**

After regulation 3 insert:

3AA. **Mining and petroleum work excluded from construction work**

(1) In this regulation —

commercial construction work means construction work that —

- (a) is not engineering construction work; and
- (b) is carried out on, or results in, a rigid and fixed structure that is intended predominantly for the use of or to contain —
 - (i) people; or
 - (ii) plants; or
 - (iii) machinery; or
 - (iv) goods; or
 - (v) livestock;

engineering construction work means construction work on or resulting in —

- (a) a road, railway, airfield or other structure for the passage of persons, animals or vehicles; or
- (b) a breakwater, dock, jetty, pier, wharf or other structure for the improvement or alteration of any harbour, river or watercourse for the purposes of navigation; or
- (c) any structure for the storage or supply of water or for the irrigation of land; or
- (d) any structure for the conveyance, treatment or disposal of sewage or of the effluent from any premises; or
- (e) a structure for extracting, refining, processing or treatment of heavy industry materials or for the production or extraction of heavy industry products and by-products from materials; or
- (f) a bridge, viaduct, aqueduct or tunnel; or
- (g) a chimney stack that is not part of a residential or commercial building, a cooling tower, drilling rig, gas holder or silo; or
- (h) a pipeline; or
- (i) a navigational light, beacon or marker; or
- (j) a structure for the drainage of land; or
- (k) a structure for the storage of liquid or gas; or
- (l) a structure for the transmission of wireless or telegraphic communications; or
- (m) a fence, other than a fence on a farm; or
- (n) a grandstand, stadium or swimming pool; or
- (o) a structure for the generation, supply or transmission of electric power;

minerals has the same meaning given in the *Mining Act 1978* section 8(1);

petroleum has the same meaning given in the *Petroleum Pipelines Act 1969* section 4(1);

residential construction work means construction work on, or resulting in, a building that is intended to be used predominantly for residential purposes.

- (2) The following work is prescribed as excluded from the definition of **construction work** in section 3(1) of the Act —
 - (a) work associated with any operation under —
 - (i) the *Mining Act 1978*; or
 - (ii) the *Petroleum and Geothermal Energy Resources Act 1967*; or

- (iii) the *Petroleum (Submerged Lands) Act 1982*; or
 - (iv) the *Petroleum Pipelines Act 1969*, that is not residential construction work or commercial construction work;
 - (b) work to which subregulation (3) applies and that is performed in connection with the work referred to in paragraph (a).
- (3) Work excluded from the definition of **construction work** in section 3(1) of the Act by operation of subregulation (2) includes the following —
- (a) earthworks associated with the construction or maintenance of any temporary water supply or temporary access track for any purpose associated with any mineral or petroleum exploration activity, and any other earthworks associated with any such exploration activity;
 - (b) any excavation work associated with exploration for, or the extraction of, any minerals or petroleum;
 - (c) any work directly related to the fabrication of a pipeline system used in mineral or petroleum production or processing and any subsequent repair work that involves welding or coating a pipeline system (or part of a pipeline system) used in mineral or petroleum production or processing;
 - (d) the construction or maintenance of any haul road or track that is —
 - (i) in or around a mine or other mineral or petroleum production facility; and
 - (ii) directly used in a mineral or petroleum production operation;
 - (e) the maintenance of an airstrip or landing pad used in conjunction with any mineral or petroleum production operation;
 - (f) work associated with an environmental clean-up or environmental restoration;
 - (g) work associated with a mine back-filling operation;
 - (h) repair or maintenance work carried out on any plant or equipment directly associated with mineral or petroleum exploration, production or processing, or for piloting.

6. Regulation 5 deleted

Delete regulation 5.

7. Schedule 1 deleted

Delete Schedule 1.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Water Services Licensing Act 1995

Water Services Licensing (Tropical Forestry Services Ltd) Exemption Order 2011

Made by the Governor in Executive Council under section 19 of the Act.

1. Citation

This order is the *Water Services Licensing (Tropical Forestry Services Ltd) Exemption Order 2011*.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

3. Terms used

In this order —

investor means a person who has purchased a tree farming interest in Kingston Rest;

Kingston Rest means the property of Kingston Rest being King Locations 338, 339, 340, 341, 342, 343, 344, 346 and 347 on Plan 211515, Great Northern Highway in Kununurra, within the Ord River Controlled Area (Irrigation Services) constituted by the *Ord River Controlled Area (Irrigation Services) Order 1996*;

Tropical Forestry Services Ltd means Tropical Forestry Services Ltd (ACN 093 330 977).

4. Exemption

Tropical Forestry Services Ltd is exempt from the requirement under section 18 of the Act to hold an operating licence (irrigation services) in respect of the supply of non-potable water to land in Kingston Rest if —

- (a) the water is being supplied to investors for irrigation purposes; and
- (b) there is no charge to the investors for the water.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA302*

WATER AGENCIES (POWERS) ACT 1984

WATER CORPORATION

Shire of Donnybrook-Balingup

CONSTRUCTION OF MILLSTREAM DAM RAISING PROJECT

Notice of Authorisation

In accordance with the provisions of the *Water Agencies (Powers) Act 1984*, the Water Corporation is authorised to proceed with the construction of the Millstream Dam Raising project comprising the following works—

- Raise the existing embankment crest level by five metres to increase the storage capacity from 0.45 GL to 1 GL
- Enlarge the existing spillway chute to provide increased flood protection
- Associated clearing, tanks pipework and infrastructure to complete the project

The location of the proposed works is at the Millstream Dam site, approximately 17 kilometres west of Bridgetown and 250 kilometres south of Perth. The Millstream Dam Project is located on the Water Corporation's freehold land and a reserve vested in the Department of Environment and Conservation.

The works will increase the storage capacity of the Millstream Dam and meet the Australian National Dam Safety Guidelines. The works form part of the Water Corporation's Bridgetown Regional Water Supply Scheme.

This authorisation shall take effect from 5 March 2011 and construction will commence after this date.

BILL MARMION, MLA, Minister for Environment; Water.

— PART 2 —

CONSUMER PROTECTION

CP401*

ASSOCIATIONS INCORPORATION ACT 1987

ASSOCIATION RE-INSTATED

Jishukan Australia Incorporated (Western Australian Branch)

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the Associations Incorporation Act 1987.

Dated 14 March 2011.

SUSAN NULSEN, Director, Business Services for
Commissioner of Consumer Protection.

HEALTH

HE401*

HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010

MEDICAL (AREA OF NEED) DETERMINATION (NO. 11) 2011

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 11) 2011*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE

OBSTETRICS AND GYNAECOLOGY SERVICES AT THE JOONDALUP HEALTH CAMPUS

Dated this 23rd day of March 2011.

Dr KIM HAMES MLA, Deputy Premier,
Minister for Health.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

David Steven Rowe of Attadale
Leonie Gwen Timms of Bibra Lake

RAY WARNES, Executive Director, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401**SHIRE OF AUGUSTA-MARGARET RIVER*

APPOINTMENT OF AUTHORISED PERSONS

It is hereby notified for public information that the Shire of Augusta Margaret River have appointed the following officers—

Gavin Jennion, Ranger Coordinator
 Belinda Biddle, Ranger
 Peter Fagan, Ranger
 Alison Scott, Ranger

as authorised persons for the purposes of—

- AMR Local Laws
- s3.37 - 3.48 Local Government Act 1995, to impound abandoned vehicle wrecks and goods involved in certain contraventions;
- Part V, VI, & VII Dog Act 1976; the control of dogs, protection of stock, and destruction of dogs;
- Part XX Local Government (Miscellaneous Provisions) Act 1960, to establish and maintain public pounds, and impound cattle;

And

the officers are authorised the power to issue infringement notices without having the power to withdraw infringement notices pursuant to:

- s9.16 LGA 1995
- AMR Local Laws
- s228 Planning & Development Act
- r13 Dog Act 1976
- s37 Control of Vehicles (Off-road Areas) Act 1978
- s30 Litter Act 1979
- s59A Bush Fires Act 1954
- s23 Caravan Parks and Camping Grounds Act 1995

and that—

Paul Gravett, Manager Community Development and Safety
 Sadie Breslin, Administration Support Officer

have been appointed as authorized persons for the purposes of determining the content, the extension of time, and withdrawal of infringement notices without having the power to issue infringement notices under—

- s9.17, 9.19 and 9.20 LGA
- AMR Local Laws
- r13 Dog Act 1976
- s37 Control of Vehicles (Off-road Areas) Act 1978
- s30 Litter Act 1979
- s59A Bush Fires Act 1954
- s23 Caravan Parks and Camping Grounds Act 1995

and that the following persons are appointed as authorized persons pursuant to section 9 and section 11 of the **Dog Act 1976** for the purposes of Part 3, registering dogs—

Annalisa Crockett, Customer Service Officer
 Naomi Sims, Customer Service Officer
 Laura McCabe, Customer Service Officer
 Suzanne Belbin, Customer Service Officer
 Christine McDonald, Customer Service Officer

All appointments are until such time as the Council or CEO determines to revoke any authorization stated or upon cessation of employment of the authorized officer with the Shire of Augusta Margaret River.

GARY EVERSLED, Chief Executive Officer.

MARINE/MARITIME

MA401*

**WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958**

PROHIBITED SWIMMING AREA

Mosman Bay

Swan River

Department of Transport,
Fremantle WA, 29 March 2011.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming, between 8:30pm and 9:30pm on Sunday 2nd April 2011.

MOSMAN BAY, SWAN RIVER: All the waters within a 100 metre radius around firing point; located on a barge in front of the Mosman's Restaurant in Mosman Bay, Swan River at approximately 32° 00'27.59S, 115° 46'21.98E.

This area is set aside for safety measures during the set up and display of pyrotechnics.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MINERALS AND PETROLEUM

MP401*

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

RENEWAL OF PETROLEUM EXPLORATION PERMIT WA-348-P R1

Renewal of Petroleum Exploration Permit No. WA-348-P R1 has been granted to Woodside Burrup Pty Ltd, Kansai Electric Power Australia Pty Ltd and Tokyo Gas Pluto Pty Ltd to have effect for a period of five (5) years from and including 16 March 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP402*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

EXPIRY OF PETROLEUM EXPLORATION PERMIT EP 427

Petroleum Exploration Permit No EP 427 held by Grange Court Pty Ltd and Valadon Pty Ltd expired on 18 January 2011.

W. L. TINAPPLE, Executive Director, Petroleum Division.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO INSTRUMENT OF DELEGATION DEL 2009/05

Powers of Committees

Notice of amendment to the instrument of delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 4 September 2009.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 22 March 2011, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate the powers and functions set out in column 2 of the Schedule to this instrument to the committee specified in column 1 of that Schedule;
- B. To amend the Instrument of Delegation DEL 2009/05 published in the *Government Gazette* on 4 September 2009 at pages 3503-3507 to give effect to this delegation, as set out in the attached Schedule.

TONY EVANS, Secretary,
Western Australian Planning Commission.

Planning and Development Act 2005

INSTRUMENT OF DELEGATION

Schedule

Column 1 (Committee)	Column 2 (Powers and Functions)
8. Perth Waterfront Project Control Committee	8.1 All functions of the WAPC as set out in section 15(2)(a), 15(2)(b), 15(2)(d), 15(2) (e) and 15(2)(g) of the Act.
	8.2 For the purpose of the exercise of the functions delegated under item 9.1 of this Schedule, all functions of the WAPC as set out in section 199 of the Act.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Carnarvon
Town Planning Scheme No. 10—Amendment No. 56

Ref: 853/10/2/12 Pt 56

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the Shire of Carnarvon local planning scheme amendment on 21 March 2011 for the purpose of—

1. Deleting the use class 'Caretaker's Flat or House' in Appendix No IV—Interpretations and replacing it with the use class 'Caretaker Dwelling' and its respective definition as follows—
'Caretaker Dwelling' means a dwelling on the same site as a building (or within a portion of that building), operation, or plant and occupied by a supervisor of that building, operation, or plant.
2. Adding to Appendix No IV—Interpretations the following use classes and their respective definitions—

'Farm Stay' means a residential building, bed and breakfast chalet or similar accommodation unit used to accommodate short-stay guests on a farm or rural property and where occupation by any person is limited to a maximum of three months in any 12-month period.

'Holiday Home (standard)' means a single house (excluding ancillary accommodation), which may also be used for short stay accommodation for no more than six people (but does not include a 'bed and breakfast', 'guesthouse', 'chalet' and 'short-stay accommodation' unit).

'Holiday Home (large)' means premises conforming to the definition of 'Holiday Home (standard)' with the exception that the premises provide short stay accommodation for more than six people but not more than 12 at any one time.

'Mixed Use' means buildings that contain commercial and other non-residential uses in conjunction with residential dwellings.

'Serviced Apartment' means a complex where all units or apartments provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of three months in any 12 month period.

'Short-Stay Accommodation' means a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and for management of the development where occupation by any person is limited to a maximum of three (3) months in any 12 month period and excludes those uses more specifically defined elsewhere.

3. Amending Table 1—Zoning Table as follows—

	A	B	C	D	E	F	G	H	I	J	K	L	M*
Bed and Breakfast	P	P	P										
Farm Stay	-	-	-	-	-	-	-	-	-	SA	SA	-	
Grouped Dwelling				AA									
Holiday Home (standard)	SA	AA	AA	-	-	-	-	-	-	-	-	AA	
Holiday Home (large)	SA	AA	AA	-	-	-	-	-	-	-	-	SA	
Mixed Use	-	-	-	AA	-	-	-	-	-	-	-	-	
Multiple Dwelling				AA									
Serviced Apartment (Tourist)	-	-	-	P	P	P	-	-	-	-	-	-	
Serviced Apartment (Residential)	-	-	-	P	-	-	-	-	-	-	-	-	
Single House				AA									
Short-stay Accommodation	-	-	-	AA	-	P	-	-	-	-	-	SA	

4. Deleting the use class 'Boarding/Guest/Lodging House' from Table 1 -Zoning Table and Table 2—Development & Car Parking Standards (See Also General Requirements).
5. Deleting the use class 'Holiday Cottages' from Appendix No IV—Interpretations, Table 1—Zoning Table, and Table 2—Development & Car Parking Standards (See Also General Requirements).
6. Substituting the density code R12.5 for R13.5 where it is referred to in clause 6.2.1.
7. Adding a new section 6.12 Caretaker's Dwelling as follows—

6.12 Caretaker's Dwelling

6.12.1 It is Council's intent to allow this form of dwelling to occur on a lot where continuous surveillance or supervision of a place and the uses and activities carried out within is necessary for any of the following—

- (i) the essential continuous or ongoing production or system processes associated with the lawful use of the land;
- (ii) the security of those uses and activities; or
- (iii) maintaining public safety

6.12.2 Council may allow a temporary caretaker dwelling to occur on a lot containing a place of heritage value where the caretaker function is to manage, supervise and/or carry out to completion the refurbishment or renovation of that place to conserve or maintain its heritage values.

For the purposes of this provision, a heritage place is a place that has been entered in the State's Register of Heritage Places; is subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; is included on the Heritage List contained in Appendix X of the scheme; or is included in Council's Municipal Inventory (MI).

6.12.3 A temporary caretaker dwelling is initially, only permitted for a period of up to three (3) years from the date approval is granted. However, a further two (2) year extension may be granted upon application being made pursuant to the scheme at least 60 days prior to the approval expiry date. No further approvals beyond any two (2) year extension will be granted.

6.12.4 Only one (1) caretaker dwelling on a lot is permitted.

6.12.5 Development of a caretaker dwelling cannot precede the development of a use class to which it is appurtenant.

6.12.6 The maximum floor area of the caretaker dwelling, including any verandah, porch, pergola or patio space, or the like, but excluding an attached garage or carport, shall not exceed 180 m².

6.12.7 A minimum area of 30 m² is to be provided as landscaped private open space, directly accessible from at least one (1) habitable space or room within the caretaker dwelling.

6.12.8 A caretaker use can only be carried out for the duration the appurtenant use is being carried out. Further approval pursuant to this scheme is required where the caretaker function is sought to be carried on with a change from one use class to another on the lot.

8. Adding a new section 6.13 Farm Stay Use as follows—

6.13 Farm Stay Use

6.13.1 It is Council's intent to allow this type of use within the 'Intensive Horticulture' or 'Rural' zones of this scheme and only where it will be secondary or ancillary to an existing pastoral or agricultural (including horticultural) use of the land.

- 6.13.2 The area to be set aside within a lot upon which a 'Farm-stay' use is to be carried out shall be located clear of any existing floodway or proposed floodway as shown in the Lower Gascoyne River Carnarvon Floodplain Management Study (2002).
- 6.13.3 The site location shall not exceed a maximum site area of 10% where the lot is less than or equal to 6.0 hectares in size, or a maximum site area of 6,000 m² where the lot exceeds 6.0 hectares in size.
- 6.13.4 Development of the 'Farm-stay' use shall generally accord with an approved Structure Plan and management statement, the specifications and content of which is to be determined by Council.
- 6.13.5 Floor levels of buildings to be used for the carrying out of the 'Farm-stay' use shall be at least 300mm above the estimated flood level of AEP 1%.
- 6.13.6 Proposals and applications to lease, freehold or strata-title lots which would result in the 'Farm-stay' use being severed from the primary use of the lot will not be supported.
9. Adding a new section 6.14 Mixed Use Development as follows—
- 6.14 Mixed Use Development
- 6.14.1 It is Council's intent to allow a mix or diversity of land uses within the 'Commercial' zone of this scheme in order to—
- (i) assist in the sustainable, efficient and viable use of land zoned as such;
 - (ii) increase the vibrancy of the Carnarvon town centre and the adjacent Fascine waterway;
 - (iii) allow for different forms and styles of human occupancy, both short-term and long-term; and
 - (iv) assist in reducing automobile dependence.
- 6.14.2 No residential component shall front or occupy a lot's primary street frontage at ground level, but may include—
- (i) provision of pedestrian access/egress to the residential component;
 - (ii) provision of vehicle access/egress to the residential component where no access/egress is available from a secondary street.
- 6.14.3 Development of any residential use component is to accord with the 'Mixed—use' development requirements prescribed in the Residential Design Codes of Western Australia (unless otherwise varied by the Council).
- 6.14.4 Development of any residential use component shall not precede the development of any non-residential use component.
- 6.14.5 Only one (1) single house per lot is permitted where the lot is zoned 'Commercial'.
10. Adding a new section 6.15 Short-stay Accommodation as follows—
- 6.15 Short Stay Accommodation
- 6.15.1 It is Council's intent to allow a wide range and choice of short-stay accommodation typologies within the scheme area to cater for the diverse accommodation needs of the tourist/visitor.
- 6.15.2 Development of 'Short-stay Accommodation' within the scheme's 'Special Rural' zone is to accord with the provisions of clause 6.6 of the scheme.
- 6.15.3 Development of 'Short-stay Accommodation' within the scheme's 'Commercial' zone is to accord with the 'Mixed-use' development requirements prescribed in Residential Design Codes of Western Australia (unless otherwise varied by Council).
- 6.15.4 Development of 'Short-stay Accommodation' within the scheme's 'Tourist Accommodation' zone shall generally accord with an approved Structure Plan for the lot the specifications and content of which is to be determined by Council.
11. Adding a new section 6.16 Serviced Apartment as follows—
- 6.16 Serviced Apartment
- 6.16.1 Development of a 'Serviced Apartment (Residential)' that is 'Commercial' zone of the scheme is to accord with the 'Mixed-use' development requirements prescribed in the Residential Design Codes of Western Australia (unless otherwise varied by Council).
- 6.16.2 Development of a 'Serviced Apartment (Tourist)' is to accord with the 3 month restricted residential occupancy specified by the definition in the scheme.
12. Adding a new clause 6.6.2 (d) in section 6.6 Additional Provisions Relative to the Special Rural Zone as follows—
- 6.6.2 (d) Only one (1) onsite sign is permitted for 'Short-stay Accommodation' development allowed in the 'Special Rural' zone.
- The sign shall not exceed 0.25 m² in size nor exceed 2.4 metres in height from the ground level of the adjoining street verge. The content of the sign shall only comprise the place name (including any logo or branding), street address, and contact details for reservations.

D. J. MASLEN, Shire President.
M. BATTILANA, Chief Executive Officer.

PL502*

PLANNING AND DEVELOPMENT ACT 2005**METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1202/41****CANNING RIVER PRECINCT KELMSCOTT****Call for Public Submissions**

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Armadale and is seeking public comment.

The amendment seeks to transfer approximately 33.23 ha of rural zoned land to the urban zone in the Metropolitan Region Scheme (MRS) generally bounded by Clifton Street, Turner Place/Brookside Avenue, Pries Place, Saddlers Retreat, River Road and Orlando/Martin Streets in Kelmscott.

The proposed urban zoning will allow for residential subdivision of the land following a local scheme amendment, detailed structure planning and subdivision approval. This will increase population in the area and support the development of the Kelmscott town centre and use of rail infrastructure.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection, free of charge from Tuesday 25 January 2011 to Friday 29 April 2011 at—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Perth
- City of Fremantle
- City of Armadale
- City of Gosnells

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5 pm **Friday 29 April 2011**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988**LIQUOR APPLICATIONS**

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
13952	Noranda ECU Football Club	Application for the grant of a Club Restricted licence in respect of premises situated in Noranda and known as Noranda ECU Football Club	15/04/2011
13873	Food Australia Group Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in West Swan and known as Margaret River Providore	17/04/2011

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE REMOVAL OF A LICENCE			
373368	Paul Christian Nelson	Application for the removal of a Wholesalers Licence in respect of premises situated in Mount Barker and known as Paul Nelson Wines	12/04/2011

This notice is published under section 67(5) of the Act.

Dated: 25 March 2011.

B. A. SARGEANT, Director of Liquor Licensing.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has varied its determination of 22 October 2010 in relation to the offices of Director General, Department of Transport, and four second tier positions within the Transport portfolio. The purpose of this variation is to take into account the dates on which office holders were appointed and dates on which the offices were brought into the Special Division of the Public Service as the case may be. Only the dates of effect have been changed rather than the classification of the offices.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 1 April 2010 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

Amend and replace in Part 1 of the First Schedule the following with effect from 3 May 2010.

Agency	Office	Classification
Department of Transport	Director General*	Group 4 Minimum

Amend and replace in Part 1 of the First Schedule the following with effect from 1 August 2010.

Agency	Office	Classification
Department of Transport	Managing Director, Main Roads Western Australia	Group 3 Minimum
Department of Transport	Managing Director, Public Transport Authority	Group 3 Minimum
Department of Transport	Managing Director, Transport Services	Group 3 Minimum
Department of Transport	Deputy Director General, Policy, Planning and Investment	Group 3 Minimum

Dated at Perth this 21st day of March 2011.

W. S. COLEMAN AM, Chairman.
C. A. BROADBENT, Member.
B. J. MOORE, Member.
Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX501

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Stephen Andrew Watters, late of 71A View Terrace, East Fremantle Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the said deceased who died on 7 June 2010 are required by the Personal

Representatives, Tarron Jaye Watson, Michael Todd Watters and John Gregory Watters of C/- Carlo Primerano & Associates Barristers and Solicitors, Suite 12, 443 Albany Highway, Victoria Park 6100 to send particulars of their claims to them. by 30 April 2011 after which date the Personal Representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated this 29th day of March 2011.

CARMELO PRIMERANO, C/o Carlo Primerano & Associates
Barristers and Solicitors,
Suite 12, 443 Albany Highway
Victoria Park WA 6100.

ZX502

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Beryl Rose Miller, late of Unit 9, 22 Fantail Road, Bibra Lake, Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the said deceased who died on 13 May 2010 and required by the Personal Representatives, Gary Lambert Miller, Paul Leslie Miller and Andrew Lyle Miller of C/- Carlo Primerano & Associates Barristers and Solicitors, Suite 12, 443 Albany Highway, Victoria Park 6100 to send particulars of their claims to them by 30 April 2011 after which date the Personal Representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated this 29th day of March 2011.

CARMELO PRIMERANO, C/o Carlo Primerano & Associates
Barristers and Solicitors,
Suite 12, 443 Albany Highway
Victoria Park WA 6100.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

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